

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

KIMBERLY PLETCHER, et al.,)	
)	Case No. 2:20-cv-00754-NBF
Consolidated Plaintiffs,)	
)	
v.)	
)	
GIANT EAGLE, INC., C&J GROCERY)	
CO., LLC, and MATT FACCENDA,)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR SANCTIONS

Pursuant to Federal Rule of Civil Procedure 37, Defendants (collectively “Giant Eagle”) respectively move for an order sanctioning eight of the remaining Plaintiffs. While Plaintiffs have generally failed to provide complete, non-evasive discovery, those eight Plaintiffs repeatedly withheld relevant documents, spoliated evidence, and provided evasive or false discovery responses, all in defiance of the Court’s orders. Accordingly, for the reasons detailed in the accompanying Brief in Support, Giant Eagle requests the following sanctions:

- Debbie Vidovich by dismissing her claims and ordering her to pay Giant Eagle’s reasonable attorneys’ fees related to seeking the discovery she should have provided in the first instance;
- Doug Janaszek by dismissing his claims and ordering him to pay Giant Eagle’s reasonable attorneys’ fees for taking his deposition;
- Nicholas Conley by dismissing his claims;
- Paul Shepherd by dismissing his claims;
- Holly Pulling by dismissing her claims;
- Josiah Kostek by dismissing his claims;
- Clyde Piovesan by dismissing his claims;
- Tommy Wynkoop by dismissing his claims.

A proposed order is attached.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on August 4, 2021, a true and correct copy of the foregoing was electronically filed and served via operation of the Court's CM/ECF system, which will automatically send e-mail notification of such filing to the attorneys of record entitled to notice who are registered users of ECF.

/s/ Jeremy D. Engle
Jeremy D. Engle